

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Kathleen A. Earley
Debtor

SN Servicing Corporation as servicer
for U.S. Bank Trust National
Association as Trustee of the Tiki
Series III Trust
v.

Kathleen A. Earley
Kenneth E. West
Respondents

CASE NO.: 24-10159-pmm

CHAPTER 13

Judge: Patricia M. Mayer

Hearing Date: June 04, 2024

Objection Deadline: May 28, 2024

OBJECTION TO CONFIRMATION OF PLAN

PLEASE TAKE NOTICE that SN Servicing Corporation as Servicer for U.S. Bank Trust National Association as Trustee of the Tiki Series III Trust (“Secured Creditor”), the holder of a mortgage on real property of the Debtor, located at 1670 East Strasburg Road, West Chester, PA 19380, by and through its undersigned attorneys, hereby objects to the confirmation of the Chapter 13 Plan on grounds including:

1. Debtor filed a Chapter 13 Plan on February 12, 2024.
2. Debtor’s proposed plan does not provide for the claim of Secured Creditor. The objecting creditor is due arrears of \$447,455.39 per Claim 3-1 filed on February 06, 2024.
3. Secured Creditor does not necessarily object to the Debtor’s proposed sale of property to pay Secured Creditor’s Claim in full; rather Secured Creditor objects to confirmation unless a consent order is entered giving stay relief should the property not be sold and Secured Creditor’s Claim paid in full within an appropriate time frame that the Secured Creditor agrees to. Furthermore, Debtor’s proposed plan fails to provide any supporting information or documentation regarding the sale, retaining a broker, listing agreement, etc. If there is no equity in the property, Secured Creditor requests that regular, monthly mortgage payments be made pending the sale. If there is in fact equity in the property, Secured Creditor objects to any order unless the loan is paid in full based off a payoff provided at closing.

In the event any portion of the claim is deemed to be an unsecured claim as defined by the Code, objection is hereby made pursuant to 11 U.S.C. 1325(a)(4) and 1325(b), *et seq.* unless the plan provides for full payment of the claim.

Dated: May 22nd, 2024

By: /s/ Lauren Moyer

Lauren Moyer, Esq.

FRIEDMAN VARTOLO LLP

Attorneys for SN Servicing Corporation as servicer
for U.S. Bank Trust National Association as Trustee
of the Tiki Series III Trust

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CERTIFICATE OF SERVICE OF OBJECTION TO CONFIRMATION OF PLAN

I certify under penalty of perjury that I caused to be served the above-captioned pleading on the parties at the addresses specified below or on the attached list on May 22nd 2024.

The type(s) of service made on the parties (first-class mail, electronic notification, hand delivery, or another type of service) was: first-class mail and electronic notification

If more than one method of service was employed, this certificate of service groups the parties by the type of service. For example, the full name, email address, and where applicable the full name of the person or entity represented, for each party served by electronic transmission is listed under the heading "Service by NEF," and the full name and complete postal address for each party served by mail are listed under the heading "Service by First-Class Mail."

EXECUTED ON: May 22nd, 2024

By: /s/ Lauren Moyer
Lauren Moyer, Esq.

FRIEDMAN VARTOLO LLP

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for U.S. Bank Trust National Association as Trustee
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Service by Regular Mail

Kathleen A Earley
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West Chester, PA 19380
Bankruptcy Debtor

Service by NEF

KENNETH E. WEST
Office of the Chapter 13 Standing Trustee
1234 Market Street - Suite 1813
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Bankruptcy Trustee

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United States Trustee